



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,313	05/31/2001	Donald V. Perino	RA066R	1848

7590

04/24/2002

Neil A Steinberg
4440 El Camino Real
Los Altos, CA 94022

EXAMINER

ABRAMS, NEIL

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 04/24/2002

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/871313

Applicant(s)

Examiner

Abrams

Group Art Unit

2839

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-62 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-62 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ ~~Disclosure Statement(s)~~ Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892 2 sheets
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 2839

The declarations have been reviewed and found proper-

The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.

A review indicates that the patent is not involved in litigation or subject to any protests. Applicant is asked to confirm this ^{if} true and to indicate any such matters that exist or may arise during prosecution of this reissue.

Upon further review the allow ability of claim 1 to 16 over the prior art is withdrawn.

Claim 34 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Dependency appears to be incorrect.

For clarification it is noted that claim 1, lines 7, 8 appear to be readable on Fig 5 traces 20 only if the outermost ones S and G are excluded.

Claims 18-57 are rejected under 35 U.S.C. 251 as being an improper recapture of claimed subject matter deliberately canceled in the application for the patent upon which the present reissue is based. As stated in *Ball Corp. v. United States*, 221 USPQ 289, 295 (Fed. Cir. 1984):

The recapture rule bars the patentee from acquiring, through reissue, claims that are of the same or broader scope than those claims that were canceled from the original application.

Original claims 12, 19, 24, 30 all were directed to arrangements of signal bus bars or ~~of~~ to

arrangements ^{of} signal and ground bus bars

Art Unit: 2839

To overcome prior art applicant added claim 36 which included arrangements of bus bar groups in a certain "interlaced" order. See argument on page 6, lines 17-21. This argument was presented to overcome the prior art. Omission of such aspect in any newly added claim amounts to recapture of material surrendered in the original prosecution.

5 For example: compare new claim 18 to canceled original claim 24.

Both are basically directed to a "bus-like electrical signal path" coupled at its ends to a substrate.

Compare new claim 40 to original claim 30.

Claims 18-62 and 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

10 Grabbe in view of Ritchie, Ahiskali, Pollmeier, Canning, Goodman, Feldman, Thompson, Sanwo, Bousman and Inacker. *Should be Grabbe*

12 For claim 18 the ~~Feldman~~ assembly includes a socket 50 with slots 68 for busbars for "signal" transmission in view of Ritchie, abstract, line 7, Pollmeier, signal bus lines 13a, 13b, etc and Canning at 24. Also, obvious to connect the busbar ends to traces on the circuit board, it
15 being typical to ⁵⁰ connect busbar ends as in Feldman at 46, and Ahiskali. In addition, if the basic Grabbe system were used with a socket having only two slots and two busbar pcb connections 28 these connections would be at ends of the busbar. Such system would be readable an claim 18.

Also, obvious to use busbars of Ritchie, fig 9 type.

For claim 19, obvious to include plural such signal busses. For claim 20, obvious to include ground busses between the signal busses in view of ~~Uberbacher~~, Pollmeier, see fig 1 and

Art Unit: 2839

Bousman, fig 2. For claim 21, limitations would read on signal and ground busses, as discussed above, all formed with pad connection at their ends as in Ahiskali and Feldman. For claim 28, the Grabbe housing walls between slots 68 form spaces. Claim 29 does not overcome reference since housing walls between bus bars would act as spacers that affect impedance. For claim 32, obvious to use adhesive in slots 68.

For claim 32, obvious to use an elastomer backup in view of Thompson at 104.

For claim 36, obvious to use a terminating resistor in view of Canning at 3, 4, Sanwo at 79 at Pollmeier at RR, RL.

For claim 39, obvious to use posts as in Ahiskali and Feldman.

For all claims, should issues arise, obvious to form Grabbe busses in manner of those of Inacker at 22 to include more distinct plate portions.

For claims 1-¹⁶~~8~~, above discussion is applied with (for claim 1) each bus electrically joined to the pcb only by two posts arranged at busbar ends and the ground bus being joined to a ground plane by posts as in Goodman at 90 or Feldman at 50, 50 or Pollmeier at 14. The posts at the busbar ends as in Feldman would be readable as being disposed along its length.

Claim 1, lines 21, 22 do not overcome prior art, terms "being irrespective of" conveying no actual limitation as to number of contact elements.

Claims 27, 25, 33 features while not disclosed by the prior art are included in the rejection at this time pending arguments asserting patentability of these claims.

Serial Number: 09/871,313

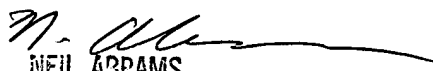
Page 5

Art Unit: 2839

Any inquiry concerning this communication should be directed to N. Abrams telephone number (703) 308-1729

N ABRAMS/pj

04/19/02


NEIL ABRAMS
EXAMINER
ART UNIT 322